

**RESOLUTION  
REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES**

**WHEREAS**, the Regional Planning Commission of the County of Los Angeles conducted a public hearing on April 12, 2017 to consider an amendment to Title 22 (Planning and Zoning) of the Los Angeles County Code relating to establishing a Cannabis Ban Ordinance.

**WHEREAS**, the Commission finds as follows:

1. On February 7, 2017 the Board made a motion directing the Department of Regional Planning to conduct any necessary environmental review pursuant to the California Environmental Quality Act (CEQA), and in coordination with the Chief Executive Officer (CEO) and County Counsel, prepare an ordinance which:
  - a. Bans the cultivation, manufacture, processing, testing, transportation, and retail sale of medical and nonmedical marijuana in the unincorporated territory of the County until the County adopts a comprehensive regulatory framework for medical and nonmedical marijuana; and
  - b. Sets reasonable regulations for personal cultivation of medical and nonmedical marijuana, including but not limited to provisions ensuring that the cultivation shall not be visible from the public right-of-way, an appropriate limit on the total number of plants which may be cultivated for personal use in any one dwelling unit and on a single parcel, and a maximum height for individual plants.
2. That in 1970, the Controlled Substance Act (CSA) established a federal regulatory system to combat recreational drug abuse by making it unlawful to manufacture, distribute, dispense, or possess any controlled substance. Accordingly, the manufacture, distribution, or possession of marijuana is a federal criminal offense.
3. That in 1996, the voters of the State of California approved Proposition 215 (codified as California Health and Safety Code section 11362.5), known as the Compassionate Use Act (Act). The Act decriminalized the otherwise unlawful possession and cultivation of marijuana for medical purposes under certain limited and specialized conditions.
4. That in 2006 the Board adopted Ordinance 2006-0032 to regulate Medical Marijuana Dispensaries (MMD) in a manner that is safe, mitigates potential impacts dispensaries may have on surrounding properties and persons, and is in conformance with the Compassionate Use Act and the MMP.
5. That in 2015, the Legislature approved and the Governor signed into law three bills (Assembly Bill 243, Assembly Bill 266, and Senate Bill 643) thereby creating the Medical Marijuana Regulation and Safety Act (MMRSA), the licensing and regulatory framework for medical cannabis in the state of California. Under the MMRSA, local governments may implement additional standards to permit, regulate, or ban medical cannabis businesses in their jurisdictions. The MMRSA

was changed to the Medical Cannabis Regulation and Safety Act (MCRSA) by Senate Bill 837, which was approved by the Governor on June 27, 2016.

6. That in 2016, the Adult Use of Marijuana Act (AUMA), also known as Proposition 64, was approved on November 8, 2016. AUMA legalizes the possession, use, and cultivation of cannabis in California by adults 21 years and older, for recreational purposes.
7. Title 22 currently lists medical marijuana dispensaries as a conditionally permitted use in Zones C-1 (Restricted Business), C-2 (Neighborhood Business), C-3 (General Commercial), C-M (Commercial Manufacturing), M-1 (Light Manufacturing), M-1.5 (Restricted Heavy Manufacturing), and M-2 (Heavy Manufacturing). Regulations specific to medical marijuana dispensaries are also listed in Section 22.56.196.
8. The draft ordinance repeals existing regulations for medical marijuana dispensaries.
9. The draft ordinance bans all cannabis businesses and activities including, but not limited to, the commercial cultivation, manufacturing, laboratory testing, distribution, and retail sale of cannabis in all zones of the unincorporated areas of the County of Los Angeles.
10. The draft ordinance introduces new definitions for cannabis-related activities and facilities.
11. The draft ordinance creates new regulations on personal cannabis cultivation for single-family and multi-family dwelling units. Single-family dwellings will be permitted to cultivate indoors or outdoors, subject to standards. Outdoor cultivation is prohibited for multi-family dwelling units, subject to standards.
12. The draft ordinance is consistent with the goals and policies of the General Plan in that the General Plan, its objectives, policies and goals, protect the public's health, safety and welfare.
13. The Department of Regional Planning has determined that the proposed ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) as it would not have the potential to cause a significant effect on the environment. The proposed ordinance also qualified for an exemption under CEQA Guidelines Section 15308 as a regulatory action that will protect the environment.

**THEREFORE, BE IT RESOLVED THAT** the Regional Planning Commission recommends to the Board of Supervisors of the County of Los Angeles as follows:

1. Hold a public hearing to consider the proposed amendment to Title 22 (Planning and Zoning Ordinance) of the Los Angeles County Code relating to the Cannabis Ban Ordinance;

Regional Planning Commission  
Animal Facility Ordinance  
April 12, 2017

2. That the Board certify completion of and approve the attached Notice of Exemption and find that the amendment to Title 22 (Zoning Ordinance) of the Los Angeles County Code will not have a significant effect on the environment; and
3. That the Board adopt the amendment as recommended by this Commission and amend Title 22 accordingly, and determine that the amendment is consistent with the goals and policies of the Los Angeles County General Plan.

I hereby certify that the foregoing resolution was adopted by a majority of the voting members of the Regional Planning Commission of the County of Los Angeles on April 12, 2017.

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Rosie O. Ruiz, Secretary  
Regional Planning Commission  
County of Los Angeles

APPROVED AS TO FORM: OFFICE OF THE COUNTY COUNSEL

By \_\_\_\_\_  
Jill Jones, Deputy County Counsel  
Property Division